

Listing of Claims

This listing of claims replaces the prior version and provides a listing of claims in the application.

1. (Currently Amended) A method Method for the treatment of schizophrenia without increasing body mass index (BMI) in a selected patient population, the method comprising selecting a patient population in need of treatment for schizophrenia and having at least one of: (i) a (BMI) greater than about 26; (ii) a disease associated with an overweight condition; or (iii) weight gain attributable to treatment using an antipsychotic medicament, the method further in a patient population comprising administering as the only antipsychotic agent a therapeutically effective amount of asenapine.

Claims 2. to 5. (Cancelled)

6. (Previously Presented) The method of Claim 1 wherein asenapine is administered to the patient by the sublingual route.

7. (Currently Amended) A formulation kit comprising asenapine as the only antipsychotic agent in the a kit and comprising additionally a package insert which is labeled for treatment of schizophrenia without increasing body mass index (BMI) in a patient population having additionally at least one of: (i) a body mass index (BMI) greater than about 26; (ii) a disease associated with an overweight condition; or (iii) weight gain attributable to treatment using an antipsychotic medicament, wherein the formulation is adapted for sublingual administration.

8. (Currently Amended) A method of treatment-of-treating schizophrenia in a patient population which is also in need of protection against weight gain and which patient population experienced weight gain while being treated with another antipsychotic agent comprising selecting said population and providing said selected patient population with employing the kit of Claim 7.

9. (Currently Amended) A method of treating Said Kit of Claim 7 which is employed in the treatment of schizophrenia in a patient population also in need of protection wherein the patient needs to be protected against weight increase due to the presence of risk factors for a disease for which overweight is also a risk factor or

due to the presence of other weight increasing factors comprising employing the kit of Claim 7.

10. (Currently Amended) The method of Claim 8 wherein said selected patient population is identified by having has a BMI of greater than about 26.

11. (Currently Amended) The method of Claim 10 9 wherein males in said patient population have a BMI of ≥ 27.8 and females in said patient population have a BMI of ≥ 27.3 .

Claims 12. to 20. (Cancelled).